GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR& RD Department - GA (V&E) Report – Disciplinary proceedings issued against Smt. M. Sriranga, the then MPDO, Nakkapalli (M), and Smt. S. Dhanalakshmi, the then Junior Assistant O/o the MPP, Nakkapalli (M) Visakhapatnam District – Nullified – Recovery – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.Rt.No.52 **Dated:09.02.2022.**

Read the following:

1 Govt.Memo No.20442/Vig.IV/A1/2010-2, Dt: 14.03.2011.
2 Form the GA (V&E) Department, Vigilance Report No. 32, (C.No.714/V&E(Dev.I)/D2/2009) dt.18.3.2013.
3 Govt.Memo No.9717/Vig.IV/A1/2013-1, dt.17.05.2013.
4 From CPR&RE, Hyd., Lr.No.7689/CPR&RE/E2.Vig/2013, dt.18.10.2014.
5 From Commissioner, PR&RD, Lr.No.628169 (7234) /CPR&RD / A2/2009, dt.17.12.2019.
6 Govt.Memo No.9717/Vig.III/A1/2013, dt.07.02.2020.
7 Representation, Dt. 02.07.2020 of Smt M. Sriranga, former MPDO, Nakkalapalli, Visakhpatnam District (now Retd).
8 Govt.Memo.No.9717/Vig.III/A1/2013, Dated: 14.07.2020.
9 From Commissioner, PR&RD, Lr.No.628169/ CPR&RD/A2/ 2009, dated.12.05.2021.
10 Govt.Memo.No.9717/Vig.III/A1/2013,Dated:19.11.2021.

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ORDER:

Based on the report of Chief Executive Officer, ZPP, Visakhapatnam and representation of Smt. M.Sriranga, MPDO(U/s), Govt vide Memo 1st read above, have directed the Commissioner,PR&RE, Hyderabad to reinstate Smt M. Sriranga, MPDO, Nakkapalli (M), Visakhapatnam District from suspension, pending enquiry, and also directed to initiate and conclude the disciplinary action against the said officer along with Smt. S. Dhanalakshmi, Senior Assistant O/o the MPP, Nakkapalli, (M) Visakhapatnam in common proceedings as the charges are same, keeping in view the Rule 20 and 24 of APCS (CC&A) Rules, 1991 on the allegations of misappropriation funds.

2. Subsequently, on the same issue, the V&E Department vide Vigilance Report 2nd read above, has recommended to initiate criminal action besides recovering an amount of Rs. 2,81,924/- against Smt. M. Sriranga, MPDO,(Retd) Nakkapalli (M), and Smt. S. Dhanalakshmi, Senior Assistant O/o the MDPO, Nakkapalli, (M) Visakhapatnam.

3. Accordingly, Government vide Memo 3rd read above has requested the CPR&RD to initiate the criminal action against the said officers besides recovering an amount of Rs. 2,81,924/- and also directed to review the financial powers bestowed to MPDOs in another Memo, Dt. 17.05.2013.

4. Thereupon, the CPR&RD vide letters, 4th and 5th read above has informed that,

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(i) the Hon'ble APAT in their interim orders, Dt. 25.04.2014 in OA No. 2970/2014 has suspended the recovery proceedings against Smt M. Sriranga, MPDO and directed to not to recover the amount until further orders. Subsequently, the Hon'ble APAT in final orders, dt. 02.01.2018 in OA No. 2970/2014 while allowing the OA has directed the respondents not to recover the amount from the applicant pursuant to the said impugned proceedings. The Hon'ble APAT has also stated that the direction is subject to result of the disciplinary proceedings pending against the applicant vide Charge Memo No. 7432/CPR&RE/A3/2009, Dt. 12.08.2011.

(ii) In pursuance of Government directions, the Article of Charges were issued by the Commissioner, PR&RE against the MPDO vide Charge Memo dt.12.08.2011_and the Delinquent Officer has furnished her WSD denying the charges. The Chief Executive Officer, ZPP, Visakhapatnam was issued AOCs vide Charge Memo, dt:15.4.2021 against Smt. S. Dhanalakshmi, Junior Assistant and the Delinquent Officer has furnished her WSD denying the charges. As per Government instructions in Memo, 1st read above, the Commissioner, PR&RE has issued orders to take up the enquiry against both the charged officers and appointed the Enquiry Officer vide his proceedings, Date:24.05.2013, 22.01.2015 and 17.10.2015.

(iii) An amount of Rs.1,40,962/- (50%) had already been recovered from Smt. S. Dhanalakshmi, Junior Assistant with regard to recovery of remaining amount from Smt M.Sriranga, MPDO, recovery orders were stopped by the O/o Chief Executive Officer, ZPP, Visakapatnam due to APAT directions not to recover the amount from Smt M. Sriranga, MPDO. With regard to filing of Criminal Case against both the accused officers, no case was filed by the then officers, for which the reasons are not forthcoming.

5. As Smt. M. Sriranga, former MPDO, Nakkapalli of Visakhapatnam Dist retired on 31.1.2020 AN, the case has been submitted to Government for taking necessary action in the matter.

6. In response to Govt Memo 6th read above, the Commissioner, PR&RD, AP has communicated the Inquiry Report to Smt.M.Sriranga, Retd., MPDO and Smt.S.Dhanalakshmi, the then Junior Assistant, MPP, Nakkapalli, Visakhapatnam district.

7. In the letter 9th read above, the Commissioner, PR&RD, AP has stated that after examining the case, the following provisional decision has been taken:

"The delinquent officers Smt. M.Sriranga and Smt. S.Dhanalakshmi have played mischief and siphoned out public funds through their deliberate, conscious and premeditated actions which are grave in nature. These charges are held proved beyond any doubt. Hence, they both deserve major punishment.

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Smt. M.Sriranga has retired from service. Hence, she should be awarded with 50% deduction of her pension, apart from recovering the entire misappropriated amount together with interest @12% per annum;

Smt. S.Dhanalakshmi is proved to be an habitual fraudster; hence, it is proposed to dismiss her from service, apart from recovering the entire misappropriated amount together with interest @12% per annum."

8. Smt. M. Sri Ranga, MPDO (Retd) of Visakhapatnam District has submitted representation, dt:2.7.2020 to the Principal Secretary to Govt, PR&RD Dept wherein raised concern over the inordinate delay from framing of charges till the way the Inquiry Officer conducted the inquiry against Rule 20 of APCS (CCA) Rules, 1991 and instructions issued by the Government from time to time, has requested to

i) Call for the entire record pertaining to her case to examine the issue judiciously w.r.to the extant rules in force and to drop the charges framed against her on the ground of inordinate delay in deviation of Govt orders issued in G.O.Ms.No. 679, GAD (Ser.c), dt:1.11.2008, till such time,

ii) Direct the Chief Executive Officer, ZPP Vizianagaram to regulate the eligible annual grade periodical increments for the duty period from 14.7.2011 i.e. from the date of reinstatement into duty till date of retirement as per Note 5(a) of Fundamental Rules 24 duly fixing up the pay in Revised Pay Scales 2010 to 2015, and to pay all the arrears eligible to her at the earliest possible,

iii) Call for the pension proposals to Government to sanction admissible Encashment of Earned Leave duly withholding the alleged recoverable amount of Rs.1,40,982/- and provisional pension in terms of Rule 52 of A.P. Revised Pension Rules respectively as she had retired from service on 31.1.2020 and facing lot of financial inconvenience and mental agony in leaving her retirement life.

9. Smt. S. Dhanalakshmi, former Junior Assistant, O/o MPP, Nakkapalli, Visakhapatnam Dist has also raised certain issues that, the Office subordinate O/o MPP, Nakkapalli, Visakhapatnam Dist used to withdraw/ credit of funds and requested to verify the TA bills. He has given statement with his signature to that extent.

10. It is observed that, the charge memo dt:12.08.2011 issued by CPR&RD against Smt. M. Sriranga, MPDO, and the charge memo dt:15.04.2021 issued by the Chief Executive Officer, ZPP, Visakhapatnam against Smt. S. Dhanalakshmi, former Junior Assistant, O/o MPP, Nakkapalli, Visakhapatnam district is not in accordance with Rule 20 (3) of APCS (CC&A)Rules, 1991 r/w standard forms prescribed for issuing charge Memo

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for imposing Major Penalties vide G.O.Ms.No.82, GA (Ser.C) Dept, dt:1.3.1996. The Inquiry did not held by the CEO, ZPP, Visakhapatnam Dist as per the provisions under Rule 20 (23) of APCS (CC&A) Rules, 1991.

11. After careful examination of the matter and in consultation with advisory departments, Government hereby

(i) nullify the charge memo dated:12.08.2011 issued by the Commissioner,PR&RD in respect of Smt. M.Sriranga, former MPDO(Now Retd) and the charge memo dated:15.04.2021 issued by the C.E.O, ZPP, Visakhapatnam is respect of Smt. S.Dhanalakshmi, the then Junior Assistant, O/o the MPP, Nakkapalli, Visakhapatnam district, as it is devoid of A.P.C.S(CC&A) Rules, 1991; and

(ii) order to recover the remaining amount of Rs.1,40,962/- from Smt.S.Dhanalakshmi, the then Junior Assistant, O/o the MPP, Nakkapalli, Visakhapatnam district."

12. The Commissioner, PR&RD, AP, Tadepalli, Guntur dist shall take necessary further action on the above orders and submit compliance report to Government within one month.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Individuals through the Commissioner, Panchayat Raj & Rural Development, AP, Tadepalli, Guntur district.
The Commissioner, Panchayat Raj & Rural Development, AP, Tadepalli, Guntur district.
The Accountant General (A&E) AP, Vijayawada.
The Pay & Accounts Officer, AP, Ibrahimpatnam.
The Director of Treasuries and Accounts, AP, Ibrahimpatnam.

Copy to:

The GA, V&E, Dept, AP, Vijayawada.
The Secretary, APVC, AP, Secretariat, Velagapudi.
The PS to M(PR&RD, M&G).
The PS to Prl.Secy to Govt., PR&RD.
Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER